



VIA HAND DELIVERY

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Achilefu et al.
 Serial No.: 09/757,332
 Filed: January 9, 2001
 Art Unit: 1619
 Confirmation No.: 5505
 Title: HYDROPHILIC CYANINE DYES
 Atty Docket: MRD-66

Cincinnati, Ohio 45202

February 19, 2003

Box Sequence
 Customer Window
 2011 South Clark Place
 Crystal Plaza Two
 Lobby, Room 1B03
 Arlington, VA 22202

Sir:

STATEMENT UNDER 37 C.F.R. §1.821(f)

The information recorded in computer readable form of United States Patent Application, Serial No. 09/757,332, filed January 9, 2001, and the paper copy of same are identical to the written sequence listing contained in the above-referenced application and contain no new matter.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

Beverly A. Lyman
 Beverly A. Lyman, Reg. No. 41,961

2700 Carew Tower
 441 Vine Street
 Cincinnati, Ohio 45202
 (513) 241-2324
 (513) 421-7269 - Facsimile



VIA HAND DELIVERY

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Achilefu et al.
Serial No.: 09/757,332
Filed: January 9, 2001
Art Unit: 1619
Confirmation No.: 5505
Title: **HYDROPHILIC CYANINE DYES**
Atty Docket: MRD-66

Cincinnati, Ohio 45202

February 19, 2003

Box Sequence
Customer Window
2011 South Clark Place
Crystal Plaza Two
Lobby, Room 1B03
Arlington, VA 22202

Sir:

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE
AND/OR AMINO ACID SEQUENCE DISCLOSURES

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated January 17, 2003, Applicants enclose herewith

✓ an identical computer readable form (CRF) copy of the "Sequence Listing" as previously submitted and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and includes no new

matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

Applicants' response notes Ms. Shirley Steel's confirmation that the United States Patent and Trademark Office records indicate applicants disc was received, but subsequently could not be located, thus, no fee is due.

Applicants believe that no fees are believed to be due. If this is not the case, the Commissioner is authorized to charge Deposit Account No. 23-3000 for any required fees.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

Beverly A. Lyman

Beverly A. Lyman, Ph.D.
Reg. No. 41,961

2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202
(513) 241-2324
(513) 421-7269 - Facsimile